

AMENDED IN ASSEMBLY MARCH 26, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1091

Introduced by Assembly Member Ruskin

February 27, 2009

An act to add Section ~~9006~~ 71410 to the Public Resources Code, relating to natural resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 1091, as amended, Ruskin. Natural resources: climate change.

~~There is~~

Existing law establishes in state government the Natural Resources Agency. ~~The Natural Resources Agency consists~~ *consisting* of various departments including the Department of Conservation, the Department of Forestry and Fire Protection, the Department of Fish and Game, and the Wildlife Conservation Board.

This bill would require the Natural Resources Agency to ~~incorporate climate change predictions into all relevant planning processes. The bill would specify key tools for addressing climate change adaptation~~ *coordinate with other state agencies to review projects, generally and by region, that have been developed to address unavoidable climate change impacts, including those required by a specified executive order and any subsequent climate change adaptation planning required by the state. The bill would specify what the coordination requirement shall include and how the agency may designate regions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 71410 is added to the Public Resources*
2 *Code, to read:*

3 71410. (a) *For the purposes of this section, the following terms*
4 *have the following meanings:*

5 (1) *“Region” means a geographic area defined by the Secretary*
6 *of the Natural Resources Agency pursuant to subdivision (d).*

7 (2) *“State conservancy” means any of the conservancies*
8 *established within the Natural Resources Agency.*

9 (b) *The Natural Resources Agency shall coordinate with other*
10 *state agencies to review projects, generally and by region, that*
11 *have been developed to address unavoidable climate change*
12 *impacts, including those required by Executive Order S-13-08 and*
13 *any subsequent climate change adaptation planning required by*
14 *the state.*

15 (c) *Coordination shall include, but is not limited to, all of the*
16 *following:*

17 (1) *Identification of major infrastructure projects required to*
18 *address climate change adaptation.*

19 (2) *Identification of multiagency projects and programs required*
20 *to address climate change adaptation to assure the resiliency of*
21 *ecosystems and critical habitat.*

22 (3) *Communication with state, federal, regional, and local*
23 *agencies to identify synergies or conflicts between adaptation*
24 *plans.*

25 (4) *A process to evaluate the need for region-specific adaptation*
26 *plans to maximize the protection of natural resources.*

27 (d) *For the purposes of this section, the Natural Resources*
28 *Agency may designate regions based on the following:*

29 (1) *Hydrologic regions, as defined by the Department of Water*
30 *Resources.*

31 (2) *Regions, as defined by the Department of Fish and Game,*
32 *including regional delineations based on flora and fauna*
33 *distributions.*

34 (3) *Other considerations based on ecosystem function and*
35 *natural processes.*

36 (e) *The Secretary of the Natural Resources Agency may*
37 *designate a state conservancy to implement subdivision (b) in a*
38 *region where a conservancy exists.*

1 ~~SECTION 1. The Legislature finds and declares all of the~~
2 ~~following:~~

3 ~~(a) Climate change is one of the most serious threats to~~
4 ~~California's public health, infrastructure, and natural resources.~~
5 ~~Despite California's best efforts to reduce greenhouse gas~~
6 ~~emissions, some level of human-induced global climate change~~
7 ~~has already occurred, and some further changes are inevitable.~~
8 ~~Thus, it is imperative that the state take steps necessary to plan for~~
9 ~~and adapt to the anticipated effects of climate change.~~

10 ~~(b) Projected changes from climate change include increased~~
11 ~~temperatures, sea level rise and increased storm surges, declining~~
12 ~~snowpack, more frequent precipitation events, and an increased~~
13 ~~risk of drought, fires, and heat waves. Impacts on California's~~
14 ~~biodiversity include shifts in the types and distributions of species~~
15 ~~and alterations of life cycle timing. These projected changes are~~
16 ~~expected to have serious impacts on California's wildlife and~~
17 ~~natural systems. Projected impacts include increased rates of~~
18 ~~species extinction, decreased biodiversity, and loss of ecosystem~~
19 ~~services vital to the quality of life for all Californians.~~

20 ~~(c) The state is charged with protecting and conserving our~~
21 ~~public trust resources, including fish, plants, and wildlife. Fish and~~
22 ~~wildlife resources are held in trust for the people of the state~~
23 ~~primarily by and through the Department of Fish and Game. In~~
24 ~~light of the anticipated impacts of climate change, it is the~~
25 ~~Legislature's intent that the Department of Fish and Game, in~~
26 ~~fulfilling its public trust responsibilities, plan and implement~~
27 ~~policies to assist wildlife in adapting to climate change.~~

28 ~~SEC. 2. Section 9006 is added to the Public Resources Code,~~
29 ~~to read:~~

30 ~~9006. To prepare the state to adapt to anticipated climate~~
31 ~~change impacts while protecting our natural resources, the Natural~~
32 ~~Resources Agency shall incorporate climate change predictions~~
33 ~~into all relevant planning processes. Key tools for addressing~~
34 ~~climate change adaptation include, but are not necessarily limited~~
35 ~~to, all of the following:~~

36 ~~(a) An explicit prioritization of state goals and objectives that~~
37 ~~relate to climate change preparedness and adaptation.~~

38 ~~(b) A state commitment to funding activities of the Natural~~
39 ~~Resources Agency needed for climate change adaptation, and to~~
40 ~~identifying appropriate funding sources.~~

1 ~~(e) Adaptive management of public and private resource lands,~~
2 ~~based on ongoing monitoring and evaluation of climate change~~
3 ~~and management impacts.~~

4 ~~(d) Development of a coordinated approach to the collection~~
5 ~~and management of baseline information on status and distribution~~
6 ~~of selected ecological indicators to support adaptive natural~~
7 ~~resource management.~~

8 ~~(e) Creation of a coordinated investment strategy that identifies~~
9 ~~high-priority lands and waters, the conservation of which is~~
10 ~~necessary to sustain functioning native ecosystems and viable~~
11 ~~populations of fish and wildlife species under projected climate~~
12 ~~changes.~~

13 ~~(f) Avoiding, to the extent feasible, further development on state~~
14 ~~lands identified as high-priority lands, the conservation of which~~
15 ~~is key for climate change preparedness and adaptation.~~

16 ~~(g) A detailed plan for how climate change impacts will be~~
17 ~~addressed by projects, programs, and policies, and how these best~~
18 ~~management practices will be employed and included in the~~
19 ~~decisionmaking processes of the respective agencies and~~
20 ~~departments.~~

21 ~~(h) A process for integrating local, state, and federal adaptation~~
22 ~~policies, programs, and projects with the plan.~~

23 ~~(i) A plan for how proposed investments in infrastructure, such~~
24 ~~as highways and levees, will incorporate an evaluation of their~~
25 ~~climate change impact on reducing or increasing the protection of~~
26 ~~natural resources from the adverse effects of climate change.~~